

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DION HARTSFIELD,

Plaintiff,

v.

JOE LOMBARDO, et al.,

Defendants.

Case No. 2:15-cv-00736-APG-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION**

This matter is before the court on Plaintiff Dion Hartsfield's failure to comply with the court's Order (ECF No. 9), and Order to Show Cause (ECF No. 11).

Plaintiff is proceeding in this action *pro se* and he submitted a complaint on July 22, 2016. *See* Compl. (ECF No. 9). The court issued an Order (ECF No. 6) granting Plaintiff permission to proceed *in forma pauperis* and then entered a Screening Order (ECF No. 9) screening the complaint pursuant to 28 U.S.C. § 1915(e). The undersigned found that Plaintiff's complaint failed to state a valid claim, gave him guidance on how to cure the deficiencies noted, and allowed him until August 22, 2016, to file an amended complaint. The Screening Order warned Plaintiff that a failure to file an amended complaint addressing the deficiencies explained by the court would result in a recommendation to the district judge that this case be dismissed. Plaintiff did not file an amended complaint and did not request an extension of time in which to do so.

Additionally, the Screening Order (ECF No. 8) was returned as undeliverable stating that Plaintiff is "not at HDSP." Local Special Proceedings Rule 2-2 requires a plaintiff "to immediately file with the court written notification of any change of address.... Failure to comply with this rule may result in dismissal of the action with prejudice."


The court entered an Order to Show Cause (ECF No. 11) on September 1, 2016, giving Plaintiff until October 3, 2016, to show cause in writing why this case should not be dismissed for

1 his failure to file an amended complaint, and for his failure to keep the court apprised of his current
2 address. Plaintiff was warned that his failure to file an amended complaint and file written
3 notification with the court of his new address on or before October 3, 2016, would result in a
4 recommendation to the district judge that this case be dismissed. Plaintiff did not respond to the
5 order to show cause and did not request an extension of time in which to do so. Furthermore, the
6 docket sheet in this case shows that the Order to Show Cause (ECF No. 11) was again returned as
7 undeliverable stating that Plaintiff is "not at HDSP."

8 For these reasons,

9 **IT IS RECOMMENDED** that this case be dismissed.

10 Dated this 31st day of October, 2016.

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12 PEGGY A. LEEN
13 UNITED STATES MAGISTRATE JUDGE
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